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CENTRAL FAX CENTERJUN 18 2007  
PATENT APPLICATIONHEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 200209180-1

Inventor(s): Artur Andrzejak, et al.

Confirmation No.: 4247

Application No.: 10/627,883

Examiner: David Y. Eng

Filing Date: July 25, 2003

Group Art Unit: 2155

Title: INCORPORATING CONSTRAINTS AND PREFERENCES FOR DETERMINING PLACEMENT OF  
DISTRIBUTED APPLICATION ONTO DISTRIBUTED RESOURCE ARCHITECTUREMail Stop  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment  
☐ New fee as calculated below  
☒ No additional fee  
☒ Other Terminal Disclaimer
- ☐ Petition to extend time to respond  
☐ Supplemental Declaration

Fee\$

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	23	MINUS	23	= 0	X \$50	\$ 0
INDEP. CLAIMS	6	MINUS	6	= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

☐ A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this paper is being  
transmitted to the Patent and Trademark Office  
facsimile number (571) 273-8300.  
Date of facsimile: June 18, 2007

Typed Name: Derek J. Westberg

Signature: 

Respectfully submitted,

Artur Andrzejak, et al.

By 

Derek J. Westberg

Attorney/Agent for Applicant(s)

Reg No.: 40,872

Date: June 18, 2007

Telephone: (408) 293-9000

Rev 1006a(TransAmdFax)

Atty. Dkt. No. 200209180-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

JUN 18 2007

Applicant: Artur Andrzejak, et al. )

Examiner: David Y. Eng

Serial No. 10/627,883 )

Art Unit: 21555

Filed: July 25, 2003 )

Confirmation No. 4247


Entitled: INCORPORATING CON- )  
STRAINTS AND PREFERENCES )  
FOR DETERMINING PLACE- )  
MENT OF DISTRIBUTED APPLI- )  
CATION ONTO DISTRIBUTED )  
RESOURCE ARCHITECTURE )**TERMINAL DISCLAIMER**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madame:

Atty. Dkt. No. 200209180-1REMARKS

Per a telephone call from examiner Eng, the applicants understand that all claims stand allowed with the exception of the provisional double-patenting rejection previously made. The applicants submit herewith a terminal disclaimer responsive to the double-patenting rejection. The Applicants submit that all of the pending claims are now allowable. Should any outstanding issues remain, the Examiner is encouraged to contact the undersigned at (408) 293-9000 so that any such issues can be expeditiously resolved.

Respectfully Submitted,

Dated: June 18, 2007

Derek J. Westberg (Reg. No. 40,872)

## PATENT APPLICATION

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 200209180-1RECEIVED  
CENTRAL FAX CENTER

Inventor(s): Artur Andrzejak  
Application No.: 10/627,883  
Filing Date: July 25, 2003

Confirmation No.: 4247  
Examiner: David Y. Eng  
Group Art Unit: 2155

JUN 18 2007

Title: INCORPORATING CONSTRAINTS AND PREFERENCES FOR DETERMINING PLACEMENT OF  
DISTRIBUTED APPLICATION ONTO DISTRIBUTED RESOURCE INFRASTRUCTURE

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER RESPONSIVE TO A PROVISIONAL DOUBLE PATENTING REJECTION

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/627,324 filed on July 25, 2003. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the required fee set forth in 37 CFR 1.20(d) of \$130.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Note: An attorney or agent of record must sign this document

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit:

OR

☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: June 18, 2007Typed Name: David J. WestbergSignature: [Signature]

Rev 10/06a (Term-Priv)

Respectfully submitted,

Artur Andrzejak

By Richard P. Lange

Richard P. Lange

Attorney/Agent for Applicant(s)

Reg No.: 27,296

Date: 15 Jun 07

Telephone: (650) 857-2821

06/19/2007 WABDEL1 00000047 082025 10627883

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